

FILED UNDER SEAL

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITEDHEALTHCARE BENEFITS OF
TEXAS, INC., et al.,

Plaintiffs,

v.

CENTERS FOR MEDICARE & MEDICAID
SERVICES, et al.,

Defendants.

Civil Action No. 6:24-cv-00357-JDK

**[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT**

Before the Court is Plaintiffs' Motion for Summary Judgment. Having fully considered the motion and any opposition thereto, the Court is of the opinion that the motion should be **GRANTED**. It is therefore

ORDERED that the motion is hereby **GRANTED**, and that

1. CMS's decision to include the disputed call (D0800225) in the 2024 Call Center Monitoring Performance Metrics for Accuracy and Accessibility Study is **DECLARED** unlawful, and
2. Defendants shall recalculate Plaintiffs' 2025 Star Ratings without consideration of the disputed call and shall immediately publish the recalculated Star Ratings in the Medicare Plan Finder.

SO ORDERED.